Report of Competition Commission

2200. SHRI VIJAY J. DARDA: Will the Minister of COMPANY AFFAIRS
be pleased to state:

(a) whether the Competition Commission of India (CCI), which was to replace the erstwhile Monopolies and Restrictive Trade Practices Commission, has started functioning;

(b) if so, how far it has achieved the purposes envisioned at the time of its setting up;

(c) whether it has submitted any Interim Report or regular Report to Government either *suo-moto* or on specific request of Government; and

(d) if so, the reaction of Government thereto?

THE MINISTER OF STATE OF THE MINISTRY OF COMPANY AFFAIRS (SHRI PREM CHAND GUPTA): (a) and (b) The Competition Commission of India was set up on 14th October, 2003. The Competition Act, 2002 was subject to legal challenges and the Supreme Court had stayed judicial functioning of the Commission. The Supreme Court has delivered its Judgement on 20.01.2005. While disposing of the Writ Petition, the Apex Court has left open all questions regarding the validity of the enactment to be decided, once amendments necessary to ensure consistency with constitutional provisions are made or attempted. An exercise has been initiated to review the enactment in light of the Supreme Court Judgement.

(c) and (d) Government has been informed that the Commission has undertaken preparatory and foundational work required for setting up a new organisation, organised/participated in a number of competition awareness activities, set up a web-site, attempted draft rules and regulations and has interacted with academic bodies and professional institutes for inclusion of competition policy and law in the course curriculum. These activities are aimed at generating greater awareness about competition issues amongst relevant stakeholders.

Managerial remuneration cases

2201. SHRI CHO S. RAMASWAMY: Will the Minister of COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that many cases of approvals for managerial remunerations are pending for more than three to four years in the department;

(b) if so, how many such cases are pending for more than three/two/ one years respectively alongwith their names;

(c) the reasons for such a backlog of pendency in the department;

(d) what steps are being taken to clear the backlog;

(e) by when this backlog is likely to be cleared; and

(f) whether it is a fact that cases are being cleared only selectively causing undue delay to routine applicants?

THE MINISTER OF STATE OF THE MINISTRY OF COMPANY AFFAIRS (SHRI PREM CHAND GUPTA): (a) No Sir. There is only one case pending.

(b) and (c) A Statement is laid on the Table of the House. (See below)

(d) and (e) Efforts are being made to get the required clearances from Home Ministry.

(f) No Sir.

Statement

Statement of cases pending for more than three/two/one years

Particulars	Names	Reasons
More than three year	(i) M/s. Bata India Ltd.	Non-receipt of security clearance from Ministry of Home Affairs.
More than two years	(i) M/s. Daewoo Anchor Electronics Ltd., (ii) M/s. Balaji Power (P) Ltd., (iii) M/s. Ford India Ltd. and (iv) M/s. Daewoo Motors India Ltd.	Non-receipt of security clearance from Ministry of Home Affairs Corporation
More than one year	(i) M/s. Cummins India Ltd. (i) & (ii) M/s. GMAC Financial Services India Ltd. (ii) M/s. Flex Industries Ltd.	non-receipt of security clearance from Ministry of Home Affairs (iii) Non-redressal of investors' complaints/ grievances by the companies.